



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

July 17, 2020

BY ECF

The Honorable Katherine Polk Failla
United States District Judge
Southern District of New York
United States Courthouse
40 Foley Square
New York, New York 10007

MEMO ENDORSED

Re: United States v. Brian Smith, et al.,
20 Cr. 236 (KPF)

Dear Judge Failla:

The parties write to request an adjournment of the next pre-trial conference in this case, which is currently scheduled for July 27, 2020. The parties respectfully request an adjournment of 60 days until September 27, 2020 or a date more convenient for the Court. The additional time will allow defense counsel and the defendants to continue their review of the discovery, which has been delayed as a result of the COVID-19 pandemic, and to determine what motions, if any, they may wish to file. Additionally, counsel for the defendants consent to the exclusion of time pursuant to the Speedy Trial Act until the date of the next pre-trial conference.

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney

by:

Christopher J. Clore
Assistant United States Attorney
(212) 637-1063

cc: Counsel for the Defendants (by ECF & Email)

Application GRANTED. The status conference currently scheduled for July 27, 2020, is hereby ADJOURNED to September 29, 2020, at 10:00 a.m. in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York. With the parties' consent, the time between July 27, 2020, and September 29, 2020, is excluded under the Speedy Trial Act. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the Defendants in a speedy trial because it will permit Defendants to continue reviewing discovery materials.

DATED: July 20, 2020
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE